

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.22890 OF 2006

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DATED: 29-06-2007

BETWEEN

The Bhagath Singh Lorry &
Tractors Hamalees Union,
Rep. by its President
Sri S. Pedda Ranga Swamy,
Reg. No. F. 1269, Kulumala
Village, Gonegandla Mandal,
Kurnool District.

...PETITIONER

AND

District Collector,
Kurnool District
Kurnool and others.

...RESPONDENTS

ORDER:

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The grievance of the petitioner – union is that pursuant to the letter addressed by the Andhra Pradesh State Commission for Scheduled Castes and Scheduled Tribes, through its Secretary, in Rc.No.S2/2084/KNL/2006 dated 27.10.2006 to the Collector, Kurnool District, to conduct detailed enquiry with regard to the registration of the sixth respondent society with a view to prevent the SC's and ST's from doing labour work of loading and unloading vegetables and other commodities from the tractors of Kulumala village; the first respondent has not considered and dispose the said letter.

2. Learned counsel for the petitioner – union submits that the petitioner – union namely, Bhagath Singh Lorry & Tractors Hamalees Union, Kulumala village, Gonegandla Mandal, Kurnool District was registered on 06.01.2004 in

the Office of the Deputy Registrar of Trade Unions and that the members of the petitioner – union are landless poor belonging to SC and ST community and eking out their livelihood by doing hamalee work. He further submits that to prevent the members of the petitioner – union from doing the hamalee work,

the lock political leaders of the upper caste community having agricultural lands have got registered a separate society for doing the said work. In that view of the matter the AP State Commission for SC's and ST's has requested the Collector vide aforesaid letter to look into the matter sympathetically with regard to the cancellation of the registration of the sixth respondent union.

3. Learned counsel for the sixth respondent union submits that after conducting enquiry only the sixth respondent union was registered on 16.10.2006 i.e. ten days prior the aforesaid letter of the Commission dated 27.10.2006. It is stated that the Commission addressed the said letter without giving any notice and any opportunity to the sixth respondent union.

4. I am of the opinion that the question of giving notice and giving an opportunity of hearing to the sixth respondent union does not arise, as the petitioner union was formed much prior to the sixth respondent union. Therefore, it is for the Collector, Kurnool District, to conduct enquiry and take appropriate action as per the letter dated 27.10.2006 addressed by the Commission after giving reasonable opportunity to the petitioner, sixth respondent and others concerned.

The writ petition is accordingly disposed of. There shall be no order as to costs.

V. ESWARAIAH, J

June 29, 2007
DSK